IN THE HIGH COURT OF JUDICATURE AT BOMBAY

IN ITS INSOLVENCY JURISDICTION

NOTICE OF MOTION NO.46 OF 2006
IN
NOTICE NO.N/216 OF 2005

Re : Vithaldas Girdhardas Parekh .. Judgment Debtor.

Ex parte

J. G. Shah (HUF) ..Judgment Creditor.

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Mr. G.R. Mehta for the Petitioning Creditor.
Mr. Udaipuri for the Debtor.

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CORAM: DR. D.Y. CHANDRACHUD, J.

1st August, 2006.

P.C. :

The Insolvency Notice was issued on 28th November 2005 and was served on the Debtor on 5th December, 2005. The act of insolvency was complete. A petition was filed by the Petitioning Creditor. In the meantime, this Motion has been taken up for condoning the delay of approximately 45 days and to set aside the Insolvency Notice. Counsel appearing for the Creditor states that all the dues of the Petitioning Creditor have been met. In these circumstances, the Motion is made absolute in terms of prayer clauses (a) and (b).